

Gordon Myers, Executive Director

MEMORANDUM

TO:

Mclba McGee

Office of Legislative and Intergovernmental Affairs, DENR

FROM:

Travis Wilson, Highway Project Coordinator

Habitat Conservation Program

DATE:

February 12, 2010

SUBJECT:

North Carolina Department of Transportation (NCDOT) Environmental Assessment (EA) for the replacement of bridge numbers 12, 18, and 42 on NC 11 over the Cape Fear

River and overflow channels, Bladen County, North Carolina. TIP No. B-4028 SCH

Staff biologists with the N. C. Wildlife Resources Commission (NCWRC) have reviewed the subject EA and are familiar with habitat values in the project area. The putpose of this review was to assess project impacts to fish and wildlife resources. Our comments are provided in accordance with certain provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

NCDOT is proposing to replace three deficient bridge structures on NC 11 over the Cape Fear River and adjacent overflow channels. Prior WRC comments have been incorporated into the document; however comments reflecting the recommended moratorium are inconsistently referenced. Furthermore WRC no longer recommends an in water work moratorium for the protection of sunfish, this will not be reflected by new moratorium dates but should be removed as rationale for the moratorium. In order to update and improve uniformity of our previous comments all WRC moratorium references in the EA should be edited to explain WRC recommends an in-water work moratorium from February 15 through June 30 for the protection of anadromous species including Shortnose sturgeon. Thank you for the opportunity to comment. If we can be of any further assistance please call me at (919) 528-9886.

cc:

Gary Jordan, USFWS, Raleigh

Rob Ridings, DWQ Kim Garvey, USACE Chris Militscher, EPA Ron Sechler, NMFS